

86th Legislative Session – 2011

Committee: Senate Commerce and Energy

Tuesday, February 15, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 10, 2011

Moved by: Rave
Second by: Johnston
Action: Prevailed by voice vote.

SB 87: prohibit local exchange carriers from assessing certain access stimulation charges and to establish certain penalties.

MOTION: RECONSIDER AND DO NOT PASS SB 87

Moved by: Rave
Second by: Lederman
Action: Prevailed by roll call vote. (4-0-3-0)

Voting Yes: Johnston, Lederman, Rave, Nelson (Tom)

Excused: Adelstein, Buhl, Nygaard

SB 158: toll the Department of Environment and Natural Resources administrative rules on underground injection control Class III wells and in situ leach mining until the department obtains primary enforcement authority of the comparable federal programs.

Presented by: Senator Tim Rave

Proponents: Larry Mann, Powertech, USA

Mark Hollenbeck, Powertech

Opponents: Rebecca Leas, self, Rapid City (Handout: #1)

Lilias Jarding, self, Rapid City

Edward Raventon, SD Sierra Club (Handout: #2)

Steve Pirner, Department of Energy and Natural Resources answered a question

MOTION: DO PASS SB 158

Moved by: Rave

Second by: Lederman

Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Voting No: Buhl

SB 123: allow military spouses to receive unemployment compensation if they leave their jobs due to a spouse's military transfer.

Presented by: Senator Jeffrey Haverly (Handout: #3)

Proponents: Mark Anderson, State Federation of Labor AFL-CIO, SD

Opponents: Don Kattke, Department of Labor

MOTION: DO PASS SB 123

Moved by: Adelstein

Second by: Buhl

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: PLACE SB 123 ON CONSENT CALENDAR

Moved by: Johnston
Action: Died for lack of a second.

SB 182: require the inspection of certain property adjacent to lakes before the property may be transferred.

THE CHAIR DEFERRED SB 182 UNTIL TO THURSDAY, FEBRUARY 17, 2011

SB 161: prohibit certain unfair or discriminatory practices based on age and veteran or military status.

THE CHAIR DEFERRED SB 161 UNTIL THURSDAY, FEBRUARY 17, 2011

SB 143: allow artisan distillers and farm wineries to sell certain distilled spirits to wholesalers and retailers.

Presented by: Senator Eldon Nygaard
Proponents: Patrick Rounds, Dakota Spirits Distillery
Opponents: Matt Fonder, Department of Revenue
Josh Fritz, self, Spearfish

The gavel was passed to Senator Rave

Bob Riter Jr., SD Beer Wholesalers
Jeremiah M. Murphy, Republic Beverage
Tim Dougherty, Licensed Beverage Dealers of SD

Tom Rounds, self, Pierre, answered a question

THE CHAIR DEFERRED SB 143 UNTIL THURSDAY, FEBRUARY 17, 2011

SB 180: impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill.

Proponents: Bret Clanton, Buffalo, self
John Harter, Winner, self

THE CHAIR DEFERRED SB 180 UNTIL THURSDAY, FEBRUARY 17, 2011

The gavel was turned over to Vice-Chair, Nygaard

MOTION: ADJOURN

Moved by: Rave

Second by: Buhl

Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair